

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

DEAN E. JACKSON,

Plaintiff,

v.

Civil Action No. **3:16CV858**

UNKNOWN,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on December 20, 2016, the Court conditionally docketed Plaintiff's action. At that time, the Court directed Plaintiff to affirm his intention to pay the full filing fee by signing and returning a consent to collection of fees form. The Court warned Plaintiff that a failure to comply with the above directive within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Plaintiff has not complied with the Court's order to return a completed consent to collection of fees form.¹ As a result, he does not qualify for *in forma pauperis* status. Furthermore, he has not paid the statutory filing fee for the instant action. See 28 U.S.C. § 1914(a). Plaintiff's conduct demonstrates a willful failure to prosecute. See Fed. R. Civ. P. 41(b). Accordingly, this action will be DISMISSED WITHOUT PREJUDICE. If Plaintiff desires to prosecute this action, he must sign and return a consent to collection of fees form.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 2/28/17
Richmond, Virginia

/s/ 

John A. Gibney, Jr.
United States District Judge

¹ Plaintiff returned a consent to collection of fees form that is blank beside the date.